

# **REQUEST FOR QUALIFICATIONS**

**Remediation and Demolition Design Services for**

**University Place Revitalization**

Solicitation # 030405-P1

The City of Memphis  
Division of Housing and Community Development

Willie W. Herenton  
Mayor  
Robert Lipscomb  
Director

*An Equal Opportunity Employer*

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**Appendix A: Site Layout**

**Appendix B: Partial List of Applicable Laws & Regulations**

**Appendix C: Price Proposal Form (to be submitted only upon request from HCD by firms determined to be qualified)**

**Appendix D: Certifications and Other Forms**

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## **I. GENERAL INFORMATION**

### **Purpose**

The City of Memphis Division of Housing and Community Development (hereinafter referred to HCD) is seeking the services of a qualified consulting firm or firms to provide professional services for the development of documents and specifications for the complete remediation and demolition of parcels comprising the Former Baptist Rehabilitation and Memphis Furniture Factory facilities, located in the University Place HOPE VI Revitalization Area of Memphis, Tennessee. E. H. Crump Boulevard borders the properties on the north, Dudley Street on the west, St. Louis/San Francisco Railway on the south and Camilla Street on the east. It is the intent of HCD to award contracts to up to two firms to carry out the work defined in this solicitation simultaneously.

### **Background**

For this solicitation, HCD is utilizing a qualification based selection process. This process involves HCD requesting and receiving technical proposals from interested firms. The technical proposals will be evaluated, scored, and ranked by HCD in accordance with *Evaluation/ Selection Process and Selection Criteria* described in Section IV. HCD will calculate the total score for each proposal in accordance with the procedures described in Section IV. HCD will then establish the competitive range; firms within that range are considered qualified. The firm[s] receiving the highest score[s] will be asked to submit a cost proposal to negotiate fair and reasonable compensation. In the event HCD is not able to negotiate a satisfactory contract with the top ranked qualified firm(s), HCD will continue negotiations with the next qualified firm(s) until an agreement is reached.

### **Contact Person**

All communication regarding this solicitation should be made in writing to Marcus D. Ward, Assistant City Attorney. They may be faxed to (901) 576-7450, emailed to [marcus.ward@memphistn.gov](mailto:marcus.ward@memphistn.gov) or delivered to the following address:

**City of Memphis  
Division of Housing and Community Development  
701 North Main Street  
Memphis, TN 38107  
Attn: Marcus D. Ward, Assistant City Attorney**

### **Submission of Proposal**

The Proposal, prepared in accordance with Section III, must be received by the HCD by **March 4, 2005 at 4:00 PM** Central Time at the following location:

**City of Memphis  
Division of Housing and Community Development  
701 North Main Street  
Memphis, TN 38107  
Attn: Marcus D. Ward, Assistant City Attorney**

The number of copies and packaging requirements are indicated in Section III of this document. All firms submitting a proposal must agree to honor the terms and conditions contained within for a period of ninety [90] days from the proposal opening date.

### **Anticipated Schedule of Events**

RFQ Invitation and/or Public Solicitation	February 11, 2005
Pre-Proposal Conference and Site Visit	February 15, 2005
<b>Deadline for Submission of Proposal</b>	<b>March 4, 2005</b>
<b>Sealed Proposals Opened by RFQ Committee</b>	<b>March 7, 2005</b>
Initial Proposal Evaluation Complete	March 11, 2005
Best and Final Offer Negotiated	March 17, 2005
Contract Start Date	April 1, 2005

### **HCD Options**

HCD, at its sole and absolute discretion, may reject any and all, or parts of any and all submissions, re-advertise this RFQ, postpone or cancel, at any time, this RFQ process; or waive any irregularities in this RFQ or in proposals received as result of this RFQ. Also, the criteria and process whereby submissions are evaluated, the decision as to who shall receive a contract award, and whether or not an award shall ever be made as a result of this RFQ, shall be at the sole and absolute discretion of HCD.

In no event will HCD permit modification to a Proposal after the submission deadline, unless the HCD specifically requested Best & Final Offers subsequent to the completion of the evaluation process and discussions with firms in the competitive range.

### **Expense of Preparation and Submission of Proposal**

All expenses involved with the preparation and submission of the Proposal shall be borne by the Offeror(s).

### **Proposals Open to the Public**

Subsequent to the award of contract, all information submitted as part of, or in support of, the Proposal would be available for public inspection in compliance with federal and State laws. Only financial information, if requested as part of this solicitation to confirm an Offeror's financial soundness, will be kept confidential.

### **Solicitation Protests**

Any protest to this RFQ shall be in writing and must be received by HCD within ten [10] working days after announcement of the selected firm(s). All protests must be submitted to the following address:

**City of Memphis**  
**Division of Housing and Community Development**  
**701 North Main Street**  
**Memphis, TN 38107**  
**Attn: Marcus D. Ward, Assistant City Attorney**

### **Service Location**

Any protest to this RFQ shall be in writing and must be received by HCD within ten [10] working days after announcement of the selected firm(s).

## Holidays

HCD recognizes the following holidays as vacations for its employees:

New Year's Day	Labor Day
Rev. Dr. Martin Luther King's Birthday	Thanksgiving
Rev. Dr. Martin Luther King's Memorial	Day after Thanksgiving
Good Friday	Christmas Eve
Memorial Day	Christmas Day
Independence Day	

The Consultant(s) will be unable to interface with HCD's representatives these days, unless previously agreed in writing. If the holiday occurs on a Saturday, it shall be observed on the preceding Friday. If the holiday occurs on a Sunday, it shall be observed on the following Monday.

## Statement of Work

### Introduction

The intent of this solicitation is to allow HCD to enter into a contract with a qualified consulting firm or firms to provide design services, coordination and processing services with the Tennessee Department of Environment and Conservation (TDEC) for the Voluntary clean-up, Oversight, and Assistance Program (VOAP), and construction administration services for the remediation, demolition and disposal of specified number of buildings comprising the Former Baptist Rehabilitation and Memphis Furniture Factory facilities. HCD anticipates hazardous materials such as asbestos, lead based paint, lead contaminated soil, and other hazardous materials may be encountered at the site.

Buildings to be demolished will be vacated before remediation or demolition begins. The site is to have final grading completed with positive drainage and natural erosion control in coordination with the City of Memphis Engineering Division.

**It is the goal of HCD that all demolition be bid by the end of May 2005 and that property is demolished consecutively. The selected firm(s) will be responsible for developing a phasing plan for HCD approval.**

The selected consulting firm(s) will provide design options for phasing, remediation, demolition, and disposal. Proposals shall include time for conferring with the City of Memphis, and any other required local or state government agency, to obtain approval and permits of any proposed conventional or non-conventional remediation, demolition, and disposal alternatives.

The selected consulting firm(s) will be required to prepare design development documents prior to preparation of the construction documents. Final construction documents must be submitted to HCD with the Memphis Shelby County Construction Code Enforcement and other government agency comments/ changes already incorporated. **The final documents submitted must bear a professional stamp of an architect/ engineer (including environmental) who is currently registered in the State of Tennessee. It is HCD's desire for the Consultant to have biddable documents by the end of-May 2005.**

Additionally the selected firm(s) shall assist HCD in the demolition and remediation monitoring, contract administration and contract closeout. The selected firm(s) must also work and coordinate with TDEC for preparation and implementation of the Storm Water Pollution Prevention Plan as well as submit, document, and obtain approvals under the VOAP for clean site certification.

## General Scope of Services

This scope of work includes design services for the demolition and remediation of the following properties:

### Description of Property

Property Name: Former Baptist Rehabilitation Hospital  
Property Address(es): 1025 E. H. Crump Boulevard  
Property Parcel Number(s): 032017 00001, 032017 00002

Property Name: Former Memphis Furniture Factory  
Property Address(es): 715 South Camilla, 658 Dudley  
Property Parcel Number(s): 032017 00007, 032017 00008

The Parcels comprising the Former Baptist Rehabilitation and Memphis Furniture Factory facilities are located in Census Tract 46. This 18.5-acre area, located in the University Place HOPE VI revitalization area, is bounded by E. H. Crump Boulevard on the north, Dudley Street on the west, St. Louis/San Francisco Railway on the south and Camilla Street on the east. It is located 3.5 miles East of downtown Memphis within the Medical district and is currently surrounded by abandoned factories, light commercial warehouses and scattered residential properties. The community is located within a Renewal Community with federal, state and local monies and donations being obligated for redevelopment.

Parcels comprising the Former Baptist Rehabilitation and Memphis Furniture Factory facilities consists of a vacant hospital and related residential facility, warehouses, and factories; reference site plan in **Appendix A**.

## **DELIVERABLES**

Listed below are the deliverables to be provided for the HCD property included in this scope of work:

### **Phase 1. SCHEMATIC DESIGN/ PRELIMINARY STUDY PHASE**

A. Perform & provide a **preliminary** study to include, but not limited to, the following:

1. Create a boundary survey site plan and identify and document the various site conditions (including digital photographs), which exist, if any, and may impact the demolition/remediation work scope and schedule. Identify City owned streets and utilities including boundaries. HCD will make available all documentation that is presently available for this property to include all past environmental assessments and asbestos surveys; however, as the owner, HCD will bear no responsibility on the accuracy of the documents. All design documents shall hold the contractor responsible for field verification and scheduling with all utility entities for verification purposes. Signatures of pertinent utility parties and evidence of the meetings between A/E firm and utility company representative and utility locations must be presented to the Owner in writing.
2. Verify & document whether project budget, schedule and programs are compatible with goals of the development team.
3. Coordinate with all utility companies, to include, but not limited to, the following companies: BellSouth, Time Warner Communications, and Memphis Light, Gas & Water [MLG&W]. Any other utilities that may affect the demolition area must be identified in the schematic design phase of the project.
4. Coordinate with the City of Memphis Engineering Division for any and all impacts to existing storm water systems.

B. Set up property for inclusion into the TDEC VOAP

1. Process and clarify VOAP entry fee for each property and assist HCD in obtaining a waiver of the entry fee to the benefit of the City and HUD.
2. Prepare draft public notice for the VOAP and submit to TDEC and HCD for

placement in the appropriate media outlet.

3. Compile, organize, prepare, and submit Technical Quality Assurance Plan (TQAP) including, but not limited to:
  - i. Work plan (remedial investigation) including updates, amendments, and revisions to any prior ESA
  - ii. Site specific Health and Safety Plan
  - iii. Quality Assurance Plan for conducting the remedial investigation
4. Schedule the remedial investigation
5. Prepare, complete, and submit Remedial Investigation Report
6. Obtain document review by TDEC of VOAP submittals and obtain letter from TDEC allowing progress to the next stage

## **Phase 2. DESIGN DEVELOPMENT PHASE**

- A. Prepare and provide outline specifications for review by HCD in the Construction Specifications Institute (CSI) and/or NIOSH format to include all engineering disciplines. Provide two (2) bound copies, one (1) loose copy and one (1) compact disk version of the outline specifications to HCD.
- B. Prepare and provide preliminary cost estimates based on items noted in the Statement of Work. The estimates must also include, but not limited to, remediation costs, material haul-off and disposal fees, trucking fees, site demolition costs, post testing costs, fencing cost, utility modification cost, and any other associated costs that could be anticipated prior to turnover of a clean site for site preparation. Cost estimates shall be provided in two (2) loose copies and one (1) compact disk in Microsoft Excel format. Prepare and provide a Non-dwelling Structures Cost Certification, signed by a licensed engineer or architect, for the costs associated with significant non-dwelling structures to include, but not limited to, demolition of structures, rails, paving, and sidewalks, and above ground and underground utilities. Reference attachments Exhibit I: Non-dwelling Structures Certification and sample format for estimate from following the Offeror Form.
- C. Prepare and provide written recommendations for the phasing of demolition.
- D. All utility and existing to remain easements must be verified. If applicable, written permission must be granted by owner of the easement or utility before further work can be completed.
- E. The following information must be in the outline specifications: All Tennessee Department of Environment and Conservation [TDEC] requirements must be met and appropriate forms submitted in a timely manner, as not to hinder the progress of project. Blank TDEC forms are included in this package; completed forms must be submitted to the appropriate offices. The forms include Notice of Intent [NOI]; Construction Storm Water Inspection Report [CSWIR] – site inspections shall be conducted and records maintained on a weekly basis; and Notice of Termination [NOT] - to be submitted upon completion of all soil disturbances.
- F. The following information must be in the outline specifications: All City of Memphis

Storm Water Bureau requirements must be met and appropriate forms submitted in a timely manner, as not to hinder the progress of project. The forms include, but are not limited to, Letter of Intent [LOI] per the City of Memphis ordinance 4538. Note it is the contractor's responsibility to submit the required LOI to the appropriate parties.

- G. Determine TDEC's oversight fee and assist HCD with any processing as required.
- H. Participate and attend an Assessment Conference with TDEC and obtain their input. Include HCD in conference and provide meeting minutes indicating action items, conclusions and next steps.
- I. Prepare feasibility study for the selection of the most cost effective remediation option with TDEC and HCD.
- J. Meet with TDEC to discuss feasibility study findings and agree on final remediation option.
- K. Obtain TDEC's letter of completion of feasibility study phase.

### **Phase 3.**

### **BIDDING, CONSTRUCTION AND CONTRACT DOCUMENT PHASE**

- A. Prepare and provide demolition and remediation construction documents for the environmental liabilities indicated in the environmental assessment(s) provided by HCD and appropriate backfill, density testing, survey, tree protection, sedimentation and erosion control, utility removal, and grading requirements following demolition. Indicate what landscaping is to remain and what is to be removed. Prepare and provide drawings and specifications for erosion and sediment control during and after demolition. Documents shall also include drawings and specifications to clearly define the extent of regulated environmental materials and the requirements for their removal/remediation, transportation, and disposal. The construction documents will clearly include all demolition work required to produce a cleared and remediated site suitable for future development. The construction documents must clearly define the completed state of demolition in objective measurable terms. The construction documents must direct the prospective contractor as to how the temporary fencing around the property shall be maintained throughout demolition phase. And, the technical specification shall use the Construction Specifications Institute (CSI) format to include all engineering disciplines. Text shall be delivered to HCD in six (6) bound copies, one (1) loose copy, and one (1) compact disk copy. Drawings shall be delivered in one (1) reproducible Mylar copy and seven (7) paper copies corresponding to the bound and loose copies above.
- B. Prepare the specifications to require the Demolition/Remediation Contractor to assume responsibility in obtaining Federal, State and local approvals and/or permits, and in complying with all current, applicable Federal, State and local laws and regulations. Regulations for regulated environmental materials removal shall include, but not be limited to those listed in **Appendix B**. These laws and regulations may change and are subject to amendment.
- C. Prepare and furnish HCD with a detailed cost estimate supporting the bid package(s) noted in the Statement of Work to include remediation costs, material haul-off and disposal fees, trucking fees, site demolition costs, post testing costs, and any other associated costs that could be anticipated prior to turnover of a cleared and remediated site. Cost estimate shall be provided in two (2) loose copies and one (1) compact disk in



Microsoft Excel format.

- D. Prepare recommendations for demolition phasing to allow for various funding options while optimizing any work. Coordinate utilities requiring removal or relocation that may affect adjacent non-HCD properties.
- E. Anticipate necessity to prepare a separate bid package for remediation and demolition for each property identified above.

**Phase 4.**

**BIDDING AND AWARD PHASE**

- A. Assist HCD in obtaining competitive lump sum bids for remediation/demolition work, including the removal and ultimate disposal of all asbestos containing materials, lead-based paint or lead-based paint containing materials, any other noted and regulated environmental concerns, and building components, structures, or utilities (above or below ground). Structure bids to allow for allowance and alternates per phasing. Assist HCD in responding to technical questions received during the bid period and in issuing addendum to the bid package.
- B. Attend Pre-Bid Conference and assist HCD in responding to any technical questions. Prepare and provide detailed minutes of the Pre-Bid Conference.
- C. Review the contractors' submitted bids, qualifications and certifications to perform the specified abatement and demolition, and advise HCD in writing of any problems. Provide a written recommendation of eligible bids and a recommendation of contract award to HCD.
- D. Alter the drawings and/or specifications as often as required to award a contract within the estimated remediation/demolition contract cost at no additional cost to HCD.
- E. Schedule and conduct a Pre-Construction Conference with HCD, the Consultant, and the remediation/demolition contractor(s). Prepare and provide detailed minutes of the Pre-Construction Conference.
- F. Prior to the "Notice to Proceed" issuance:
  - 1. Review the Contractor's employee training records, medical examination forms, and health and safety plans, and advise HCD in writing as to their adequacy.
  - 2. Review the Contractor's submitted list of equipment to be used on the project and advise HCD in writing as to their adequacy.
  - 3. Visually inspect the sites and assure that areas are ready for Contractor access for abatement and demolition. This shall include reviewing the hauling route and ensuring it is authorized and adequate.
  - 4. Ensure that all notices to be given by the Contractor are filed in a timely manner. Ensure that the Contractor obtains all necessary permits and approvals.

**Phase 5.**

**CONSTRUCTION PHASE**

- A. Take and record benchmark air samples near each defined area prior to the commencement of abatement activity for the area.

- B. Provide daily monitoring to record weather conditions and to ensure the work is proceeding in accordance with the prepared bid demolition/remediation documents and applicable legal and regulatory requirements. Prepare and submit weekly reports to summarize the week's events and provide a photographic record of progress/issues. Immediately notify the Contractor and HCD (followed up in writing) of any violation of laws, regulations, or procedures.
- C. Schedule and conduct weekly progress meetings with HCD, the Consultant, and the remediation/demolition contractor(s). Prepare and provide detailed minutes of each meeting including attendees, action items and issues of discussion within two (2) business days following each meeting.
- D. Review and make written recommendations to HCD on change orders requested by Contractor or as deemed necessary for proper completion of the work. Review and advise of any Contractor claims for delay or requests for additional costs. Also provide monthly National Weather Service reports to HCD.
- E. Conduct joint walk through with the owner and the contractor to establish the completion of the work identified in the pay application. Review of all payment applications submitted by the Contractor for accuracy and proper documentation and make written recommendations to HCD on payment issues.
- F. Monitor the project site weekly to:
  - 1. Verify that adequate signs have been posted for each active work area.
  - 2. Confirm compliance with current, applicable worker protection requirements.
  - 3. Assure the containment and protection barriers around worksite are properly constructed and maintained.
  - 4. Monitor the site to verify proper performance of decontamination procedures for materials, workers, and the site.
  - 5. Where a negative pressure system is constructed, monitor its use, assuring that a continuous flow of fresh air is admitted to replace HEPA filtered air being exhausted.
- G. Monitor and provide documentation of transportation and disposal including, but not limited to, the following:
  - 1. Verify that all waste has been properly removed, contained and labeled in accordance with all applicable laws, rules and regulations before allowing passage of the waste by the demolition/remediation contractor to an approved Transportation, Storage, and Disposal Facility.
  - 2. Verify proper number and type of containment and labeling conforms to regulatory requirements. Monitor packing, transportation, and disposal of all waste. Verify that appropriate manifests have been filled out and disposal is performed in accordance with manifests.
  - 3. Obtain from Contractor, and verify, advance notification and approval of the intended disposal sites.

4. Secure chain-of-custody documentation signed as required by the demolition/remediation contractor, transporter, and disposal facility.
5. Verify and approve the truck-hauling route in the community in conjunction with the City of Memphis's approval that will be used by the demolition/remediation contractor.
6. Compile a final written report for this phase of work, per local, State, or Federal requirements for each of the demolition/remediation phases.

H. Provide the following contract closeout services:

1. Establish and manage a quality assurance program for the collection and analysis of data to obtain reliable results and determine satisfactory completion of the demolition/remediation work.
2. Following the demolition/remediation Contractor's determination of substantial completion of work at each demolition phase, inspect the site before workers vacate and make a preliminary determination as to adequacy and completion of the work. Prepare a list of incomplete or unsatisfactory items, and provide to HCD and the Contractor.
3. After remediation activity for each area is determined to be complete, sample each area using appropriate TDEC and VOAP sampling methods.
4. Analyze each air sample using a currently approved HUD, EPD, EPA, and OSHA analytical method, document the chain of control for the samples, detail the quality control checks to avoid bias, and provide a certified report of findings.
5. Provide TDEC and HCD with all documents to obtain all Federal, State and local approval and/or permits, and submit copies of such documents at the completion of project. Assure appropriate completion notices are sent to governmental agencies.
6. Provide documentation and certification to TDEC and HCD of the monitoring, evaluation and management processes used during the demolition/remediation work. Provide comprehensive, detailed written reports of all project aspects. The reports should demonstrate regulatory compliance, due care of the demolition/remediation Contractor, proper training and protection of workers, adequate control of the environmental or demolition material, equipment suited to the task, measured air quality for each area related to clean air definition, and adequacy of each area for its proposed use. The report should include, but not be limited to, the following items:
  - a. Summary overview of the entire operation, execution, sampling results and conclusion of outcome.
  - b. Detailed report of preparation, execution, sampling results and conclusion of outcome.
  - c. Certification of report and findings.
  - d. Appendix sections shall include, but not be limited to the following:

- Air Sample Analysis Laboratory Reports
  - Notification Letters
  - Consultant Qualifications/Certifications
  - Consultant's Proposal Documents
  - Consultant Training Documents
  - Consultant Medical Examination Documents
  - Consultant Schedule and Abatement Plan
  - Equipment List
  - Disposal Documents and Landfill Certification
  - Pictorial Record
  - All Other Project Documents
  - VOAP Certification and "No Further Action" determination and documentation
  - Figures
  - Tables
  - Boundary Survey
  - Parcel Maps
7. Ensure that all monitoring, evaluation and analyses are done in conformance with all Federal, State and local regulations, guidelines and publications.
8. Secure the issuance of a TDEC Record of Decision noting that the site remediation has been completed to VOAP standards and secure a "No Further Action" clearance letter.

#### Deliverables Summary Chart

Phase	Deliverable	Item	Copies	Frequency
1	Preliminary Study	A	2	1
1	Technical Quality Assurance Plan (TQAP)	B	2	1
2	Outline Specifications	A	2	1
2	Preliminary Cost Estimate	B	2	1
2	Demolition Phasing Recommendations	C	As Stated	1
2	Feasibility Study (FS)	J	As stated	1
3	Construction Documents	A	As Stated	1
3	Detailed Cost Estimate	C	As Stated	1
4	Pre-Bid Conf. Meeting Minutes	B	2	1
4	Bid Review & Contract Award Recommendations	C	2	1
5	Pre-Construction Conf. Meeting Minutes	A	2	1
5	Review of Contractor's Records, Forms, and Plans	B	2	1
5	Weekly Progress Reports	D	2	Weekly
5	Weekly Progress Meeting Minutes	E	2	Weekly
5	Change Order Review	F	2	As Required
5	Weather Service Reports	F	2	Monthly
5	Pay Application Review	G	2	Weekly
5	Transportation & Disposal Report	I	2	As Required
5	Close-out Documents & Reports	J	2	As Required

## **Description of HCD Provided Services**

The HCD will provide available, applicable information to the Consultant(s) in a timely manner as needed for performing the requested services. All requests for information shall be submitted to the HCD Project Manager in writing. The Consultant(s) shall preserve all HCD confidential information regarding HCD's operations, procedures, and proprietary information whether obtained directly from the HCD or otherwise.

The HCD project manager will perform timely reviews of all deliverables and will provide written comments and recommendations, as needed. The HCD Project Manager will review any required revisions with the Consultant(s) for inclusion by the Consultant(s) prior to contract completion. Progress payments to the Consultant(s) will be based on acceptance by HCD of the contract deliverables.

## **Format for Deliverables**

All written work shall be organized for ease of reading and shall be free of content, spelling and grammatical errors. Written work shall be provided to the HCD in hard copy format and electronic format (Microsoft Office 2000 compatible). Any deliverable not meeting reasonable professional standards as determined by the HCD will be returned for revision by the consultant at no additional cost to the HCD. All laboratory results and field-testing data shall be error-free and all procedures shall be performed in accordance with the applicable TDEC ASTM standard, HUD guideline or other applicable law, regulation or guideline. The consultant at no additional cost to the HCD shall correct any errors noted by the HCD immediately. All corrective work shall be completed and resubmitted to the HCD within one (1) normal working day following notification of the deficiency.

## **Standard of Conduct**

The Consultant(s) shall be responsible for maintaining satisfactory standards of their employees', subcontractors' and sub-consultants' competency, conduct, courtesy, appearance, honesty, and integrity, and shall be responsible for taking such disciplinary action with respect to any employee, subcontractor or sub-consultants, as may be necessary.

## **III. PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS**

### **Offeror's Understanding of Requirements**

Offerors are expected to examine the Statement of Work, the proposed Contract Terms and Conditions, and all Instructions. Failure to do so will be at the Offeror's risk.

### **Submission Format**

The Technical Proposal should be organized by the topics described below and submitted in the same order. The information should be 8.5" x 11" format bound in either three-ring or spiral binders. A numbered or lettered tab shall separate each section. The Price Proposal should be submitted on the Offer Forms included in **Appendix C**, and will only be submitted by qualified firm(s) when requested to do so by HCD following establishment of the competitive range from its Technical Evaluation.

### **Quantity of Copies**

One (1) original and five (5) copies of the complete Technical Proposal.

### **Packaging the Submission**

Upon request from HCD, the offeror will submit an original and two (2) copies of the Price Proposal in a sealed envelope. The envelope should be clearly labeled "**Price Proposal**" and should indicate with the name, address, phone number of the firm making the submission, and the solicitation title and number,

**“Solicitation # 030405-P1, Remediation & Demolition Design Services for the University Place Revitalization”.**

The original and five (5) copies of the Technical Proposal must be submitted in a sealed envelope or box. The envelope or box should be clearly labeled with the name, address, phone number of the firm making the submission, the due date, and the solicitation title and number, **“Solicitation # 030405-P1, Remediation & Demolition Design Services for the University Place Revitalization”.**

**Delivering the Submission**

The Proposal must be received by the HCD by **March 4, 2005 at 4:00 PM** Central Time at the following location.

**City of Memphis  
701 North Main Street  
Memphis, TN 38107  
Attn: Marcus Ward  
Assistant City Attorney**

E-mail, telegraphic or facsimile submissions will **not** be considered. Any Proposal received at the above location after the exact date and time specified for receipt will not be considered.

**Pre-Proposal Conference and Site Visit**

A Pre-Proposal Conference will be held on **February 15, 2005 at 3:30 P.M.** Central Time at the Memphis Housing Authority, 700 Adams Avenue in room 216, Memphis, TN 38105. **Although the conference is not mandatory, all Offerors are encouraged to attend.** The scope of services and procurement requirements and procedures will be reviewed. The HCD will organize a site walk after the meeting.

**Questions from Prospective Offerors**

Any prospective Offeror desiring an explanation or interpretation of the solicitation, statement of work, etc, must request it in writing. Oral explanations or instructions will not be binding. Any information given to a prospective Offeror concerning a solicitation will be furnished promptly to all other prospective offerors as an addendum to the solicitation, if that information is necessary in preparing and submitting the submission or if the lack of it would be prejudicial to any prospective offerors.

**The deadline for any questions regarding this RFQ is February 24, 2005. All questions must be submitted in writing by this date by 4:00 p.m. Central Time; address all questions to Marcus D. Ward, Assistant City Attorney.** Inquiries may be delivered by any delivery method or faxed to (901) 576-7450.

**Addendum to the Solicitation**

The HCD may deem it necessary to make modifications, clarifications or changes to this solicitation during the solicitation period. Those modifications will be made in the form of a written addendum issued by the HCD. The issuance of an addendum modifies only those items specifically discussed in the addendum and all other terms and conditions of the solicitation will remain unchanged.

The Offeror must acknowledge receipt of any addenda to this solicitation by signing and returning with the Proposal a copy of the **“Certification of Receipt of Addendum”** form, which will be issued with each addendum.

**Modification or Withdrawal of the Proposal**

In no event will the HCD accept modifications to Proposals after the submission deadline, unless it specifically requests Best and Final Offers [BAFO] subsequent to the completion of the evaluation process and discussions with firms in the competitive range.

However, modifications or withdrawals of Proposals may be made in writing up to the submission deadline provided they are received at same location the Proposals are to be delivered by the deadline. Withdrawals may be submitted by fax; however, modifications must be submitted in the same manner as the Proposals. Subsequent to the submission deadline, no Proposals may be withdrawn for a period of sixty (60) days from the submission deadline

### **Content of the Technical Proposal**

The Technical Proposal must include all of the items listed below and should be organized by the topics and submitted in the same order. **The Technical Proposal shall not exceed twenty (20) pages total (20 one-sided or 10 double-sided).** This page count **does not** include financial statements, resumes, certifications, affidavits, and accreditations.

#### **1. Cover Page**

The cover page should identify the solicitation by its name, number and submission deadline date. It should also bear the firm's name, primary contact person's name, address, email address, telephone and fax numbers.

#### **2. Table of Contents**

The table of contents should clearly identify the location of each section of the package by section number or letter and page number. The sections should be identified by consecutive letters or numbers and the contents of each section shall be numbered separately with the section letter or number as a prefix to the page number (e.g. A-1, A-2, A-3).

#### **3. Experience, Expertise, Capacity to Perform & Past Performance**

##### **A. Introduction**

Provide a brief description of the firm or firms who are being presented in the submission. Identify the type of services the firm(s) provides and any specialties they may have. If there is more than one firm, indicate relationship of the firms (e.g. joint venture, association, and prime-consultant). Indicate the type of services each firm will be responsible for in this project.

##### **B. Firm's Profile**

Provide a Firm Profile of the firm(s). The profile should include the location of the primary and branch offices, the number of staff at each location, the number of years in business, the types of services provided by each firm and the types of consulting services in which they may specialize. Indicate the proposed staff for the work and their qualifications. Indicate whether there is a certified industrial hygienist team member. Describe the firm's VOAP or related experience.

##### **C. Evidence of Insurance Compliance**

Provide evidence in the form of a current certificate of insurance or a premium statement that confirms the firm carries insurance that will comply with the requirements of the contract.

##### **D. Financial Statement**

Complete an AIA A305 qualifications form and include as part of the submission.

##### **E. Past Performance (3 pages maximum)**

Provide a list of recent engagements which best demonstrates the past performance and knowledge of the firm(s) with regard to providing remediation and demolition design services and other relevant professional services. Projects should demonstrate at a minimum:

- The quality of the firm's services
- Its experience and demonstrated knowledge of current, applicable Federal, State and local regulations including TDEC and VOAP
- Its success in planning, designing and monitoring remediation and demolition projects
- Its success in developing and meeting project schedules and budgets.

Provide a brief description of the project, the type of services the firm provided, the date the services were provided, the duration of the contract and the dollar value of the contract. Identify each engagement by name and location and indicate the name and address of the client and the name and telephone number of a contact person familiar with the project.

#### **F. References**

Provide a list of not less than four (4) references that have recent knowledge of the firm(s) past performance, quality of work, and ability to perform, including from TDEC.

### **4. Approach, Methodology & Management Plan**

#### **A. Approach and Methodology (5 pages maximum)**

- Provide a narrative description of the firm's anticipated approach and methodology to accomplishing each task and deliverable set forth in the Statement of Work.
- Describe the firm's understanding of the scope of services and recognition of the critical areas.
- Provide a detailed schedule for the design phase of this project in accordance with the following goals: **completed bid documents by 5/27/05, bids due by 6/14/05, and notice to proceed by 6/28/05.** Show schedule activity durations in days and/or weeks and include key deliverable due dates, assessment periods, Owner review periods, etc. Provide an estimate for the duration of remediation and demolition work. Anticipate a 3-month procurement period from submission of construction documents to execution of contract. Also allow HCD at least one week for review at the end of each phase.

Describe the procedures the firm proposes to monitor the performance of the project team, control costs and schedules, and ensure compliance with established budgets, schedules and regulatory requirements.

#### **B. Project Team**

Provide an organizational chart indicating the staff from each firm who will be involved in providing the services, their title and anticipated role in providing the services. Indicate who will be in charge of the project and who will have primary contact with HCD. Identify, as well, who will facilitate the progress meetings and submit the weekly progress report.

#### **C. Resumes**

Provide resumes for each staff member who will be assigned to provide services, indicating their educational background, professional status, past experience and duration of time with the firm.

#### **D. Training Certifications and Accreditations**

Provide copies of current accreditation and training certifications for the consulting firm, proposed



staff members and laboratory (ies) anticipated to provide the scope of services included in this RFQ. Accreditation for staff members shall match their title and anticipated role as listed in the organizational chart. Submit the name(s), address (es) and telephone number(s) of the laboratory (ies) selected to analyze samples.

## 5. Small, Minority-Owned and Women-Owned Business Participation, and Participation

Briefly describe the proposed participation of any small, minority-owned or women-owned businesses in this contract, if any. The description should indicate whether the firm(s) is small, minority-owned or women owned and whether it is the prime, a joint venture partner, an associated firm or a consultant. Identify and briefly describe the participation of personnel, if any, or plans to hire personnel. It should include an estimation of the percentage of the contract that may be attributable to that firm. Complete the MBE/WBE Bid Data form included in **Appendix D**.

## 6. HCD Certifications and Affidavits

HUD regulation, Federal or State statute or HCD policy requires the following certificates and affidavits. A principal, partner or officer of the firm who is legally authorized to enter into a contractual relationship in the name of the firm must sign the documents. Documents must be notarized by a Notary Public where indicated and corporations should affix their corporate seal to the documents. If more than one firm is included in the project team, the following certifications are to be prepared by the primary firm only, and not consultants. Copies of the required certifications and affidavits are included in **Appendix D**.

- A. Debarment and Suspension Certification
- B. Equal Opportunity Certification
- C. Drug-Free Work Place Certification
- D. Non Collusion Affidavit
- E. List of Proposed MBE/WBE Contractors

## Content of the Price Proposal

The Price Proposal **must** include all of the items listed below and shall be submitted **only** upon request from HCD after the qualified firms have been identified.

### 1. Offer Form

The Offeror shall provide all the data required on the Offer Form and Price Form, a sample of which is included in **Appendix C**. A principal, partner or officer of the firm who is legally authorized to enter into a contractual relationship in the name of the firm must sign the Offer Form. The document must be notarized by a Notary Public where indicated and corporations should affix their corporate seal to the documents.

### 2. Price Form

The Offeror shall provide all the data required on the Price Form, a sample of which is included in **Appendix C**. The Price Proposal shall include all travel expenses, wages, goods and materials necessary to perform work under the terms and conditions of this solicitation. Taxes, fees, printing costs, local and long distance travel, couriers, express mail and similar items are the responsibility of the Offeror. Costs of paper, preparation of copies and drawings, computer disks and final reports should be included in the Consultant's rates provided in the Price Proposal.

The Price Proposal shall also include a fee schedule for staff costs on an hourly basis that shall apply

to any additive or deductive change orders to the scope of work.

#### **IV. EVALUATION /SELECTION PROCESS AND SELECTION CRITERIA**

##### **Evaluation and Selection Method**

No Proposal will be opened or reviewed until after the deadline. Under the qualification based selection process submissions are not opened publicly.

Submissions received by the deadline will be initially screened for completeness and responsiveness. To be determined responsive the submission must include the following:

1. A Technical Proposal packaged and identified in accordance with the instruction in Section III.
2. A Debarment/Suspension Certification indicating that neither the firm nor any individual, officer or employee is debarred, suspended, or otherwise prohibited from participation in government programs by any federal, state or local agency.

Submissions lacking these items will be deemed non-responsive and will not be considered further.

An Evaluation/Selection Committee will evaluate the Technical Proposals of all responsive submissions. The committee will be comprised of members selected from the HCD who have the appropriate experience and/or knowledge regarding the evaluation and selection process. Members of the committee will receive a complete copy of each firm's Technical Proposal and will be afforded ample time to review and individually rate them on the evaluation criteria and rating system described in this document. Subsequent to the individual reviews, the committee will convene one or more sessions to discuss each firm's Technical Proposal with regard to the degree to which it satisfies the requirements described in the RFQ. Committee members will share his or her findings with the group and a general group evaluation will take place. At the completion of the last group review session, committee members will be afforded an opportunity to modify their initial ratings based on the results of the group review. A score will be calculated for each Technical Proposal as follows:

- The score for each evaluation criteria will be calculated by averaging the final scores given to that criterion by each committee member.
- The average scores for each of the evaluation criteria will be added to determine the total score.

**The maximum score possible for a Technical Proposal is 100 points.**

**Following tabulation of all Technical Proposals, HCD will establish the competitive range to identify qualified firms.**

Upon request from HCD, the qualified firm(s) will be asked to submit a price proposal. HCD will enter into negotiations with the top rated qualified firm(s) to reach a fair and reasonable price. In the event both parties are unable to reach an agreement, HCD will initiate negotiations with another qualified firm until such time as an agreement is reached.

The HCD will sum the Technical Proposal scores of each firm to obtain its Proposal Evaluation Score. Once the Proposal Evaluation Scores have been calculated and the competitive range established, the Evaluation/Selection Committee may commence discussions with the top technically qualified firm(s). Discussion topics may include the firm's proposed scope of work, approach, methodology and unit prices and clarification of any concerns identified during the evaluation of the proposals.

Qualified firms may then be given a period of time to clarify or modify their Proposals as a result of the

discussions and submit a “Best and Final Offer.” HCD will either accept the Best and Final Offer or initiate negotiations with another qualified firm(s).

Once a selection has been made, the Evaluation/Section Committee will present its contract award recommendation(s) to the Director, who has the sole authority to award contracts on behalf of the agency.

### **Evaluation Criteria and Rating System**

Each Proposal will be evaluated and rated using the following criteria and rating system:

#### **Technical Proposal**

#### **1. Experience, Expertise, Capacity to Perform & Past Performance [maximum Rating: 50 Points]**

##### **Evidence of the firm’s ability to perform the services, as indicated by:**

- The firm’s ability to provide the required services
- The firm’s financial resources and insurance compliance
- Its experience and demonstrated knowledge of current, applicable Federal, State and local regulations
- Its experience and success in planning, designing and monitoring remediation and demolition projects
- Its success in developing and meeting project schedules and budgets
- Quality of past service and level of customer satisfaction

#### **2. Approach, Methodology & Management Plan (Maximum Rating: 35 Points)**

The firm’s understanding of the requested services as indicated by:

- The appropriateness of its approach and methodology to HCD’s goals and objectives. The procedures the firm proposes to monitor the performance of the project team, control costs and schedules, and ensure compliance with established budgets, schedules and regulatory requirements.
- The level of detail and degree of specificity demonstrated in the narrative.
- Proposed schedule for this project in accordance with HCD’s goals
  - Appropriateness of the firm’s proposed team organizational structure and the adequacy of the firm’s staffing and subcontracting plan
  - Firm’s staff certifications and laboratory accreditation

#### **3. Small, Minority-Owned, Women-Owned and Local Business Participation,**

**(Maximum Rating: 15 Points)**

Offeror must show evidence that the firm is a minority-owned business and/or that the firm has included small businesses, minority enterprises and/or women-owned enterprises on the project team.

Maximum score will be awarded for applicants meeting or exceeding the goal of 15% as described below.

This contract will be subject to the requirements of the City of Memphis Ordinance #4388, which establishes the Minority and Women Business Enterprise Procurement Program. It is up to the candidate submitting the proposal to see that all requirements of this ordinance are met. The goal of the M/WBE Program is to increase the participation of M/WBEs in the Owner's purchasing activities. Toward achieving this objective, the M/WBE participation goal for the design services on this project is **15%**.

The percentage of M/WBE participation is defined as the dollar value of sub-consultants' contracts awarded to certified minority business enterprises divided by the total proposed amount. To be a qualified M/WBE firm, the firm must be certified by the City of Memphis and the Mid-South Minority Business Council. You may only choose candidates from the attached list of eligible certified M/WBE firms. If there are questions regarding the M/WBE program, please contact the following:

Carlee M. McCullough  
City of Memphis  
Contract Compliance Office  
125 North Main Street, Suite 440  
Memphis, TN 38103  
Phone (901) 576-6210  
Fax (901) 576-6560

## **V. CONTRACT TERMS AND CONDITIONS**

### **Contract Term**

The term of this contract will end November 30, 2005, or upon delivery and acceptance by HCD of the final deliverable under the terms and conditions herein, whichever date is earlier.

### **Form of Contract**

The HCD will require the selected firm(s) to execute a contract that will specify all terms and conditions of the agreement between the firm and the HCD.

Any exceptions to the contract must be clearly identified, accompany the offeror's proposal. Offerors are cautioned that any exception submitted that will give the offeror a competitive advantage over another offeror or that will cause a failure to meet a requirement of the RFQ will not be accepted.

Once awarded, the contract shall not be subcontracted or assigned, in whole or in part, without prior written consent of the HCD.

### **Contract Administration**

The following office is responsible for the administration of the contract:

**City of Memphis  
Division of Housing and Community Development  
Legal Department  
701 North Main Street  
Memphis, TN 38107**

### **Invoicing & Payment**

HCD intends to disburse funds for the services described herein on a periodic basis (minimum period will be monthly) based upon a percentage of work completed per the approved Schedule of Values included in the contract and established by the following phases:

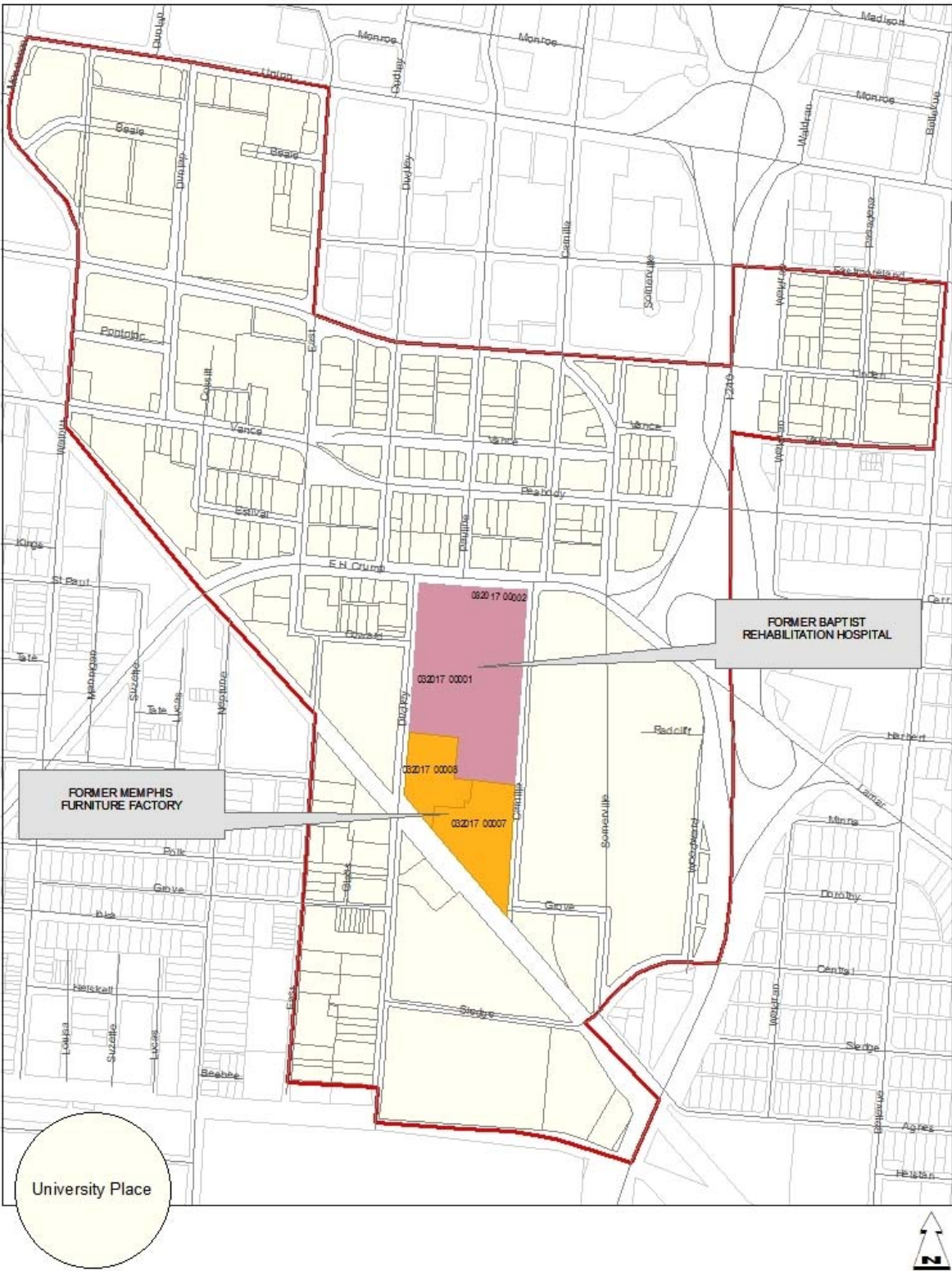
Phase 1/ Payment Application #1.	Schematic Design/Preliminary Study Phase – 100%
Phase 2/ Payment Application #2	Design Development Phase – 100%
Phase 3/ Payment Application #3	Construction and Contract Document Phase – 100%
Phase 4/ Payment Application #4	Bidding and Award Phase– 100%
Phase 5/ Payment Application #5.	Construction Phase– 25%
Payment Application #7.	Construction Phase– 50%
Payment Application #8.	Construction Phase– 75%

Invoices shall be submitted on a date mutually accepted by the Consultant and HCD. Invoices shall be accompanied by documentation acceptable to HCD and in accordance with all applicable laws, regulations, requirements and guidelines of applicable governmental authorities. HCD need not make payment with respect to services that are not appropriately documented. Payment for properly invoiced and documented services shall be made within thirty (30) days of HCD's receipt of a proper invoice as determined by HCD.

Determination of satisfactory progress for payment purposes shall be at the sole discretion of HCD. HCD retains the right to reject payment application submittals if HCD is not in agreement with the draw request for the percentage of work complete, or feels the work does not conform to the requested deliverable. In the event progress on any service or deliverable is deemed unsatisfactory, the Consultant will be notified by HCD of such deficiencies and progress payments will be withheld on that deliverable until such deficiencies are satisfactorily corrected.

Minority Business Enterprise/Women Business Enterprise (MBE/WBE) reports shall be submitted on a monthly basis in conjunction with the invoice for services. Failure to submit MBE/WBE reports with the invoice will result in the invoice being returned to the Consultant with no penalty to HCD. Payment will not be processed without the submission of MBE/WBE and reports.

Appendix A: Site layout



## **APPENDIX B: Partial List of Applicable Laws & Regulations**

### **Lead-Based Paint:**

- The Lead Based Paint Poisoning Prevention Act (LPPPA), 42 U.S.C. 4821-4846
  - The Residential Lead-Based Paint Hazard Reduction Act of 1992
  - 24 CFR 35, et al., Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule
  - The HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, June 1995 & 1997 Chapter 7 Revision
  - 29 CFR 1926, Safety and Health Regulations for Construction, Lead
  - 40 CFR 745, Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities
  - The EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead-Contaminated Soil
  - The EPA Residential Sampling for Lead: Protocols for Dust and Soil Sampling (EPA report number 7474-R-95-001)
  - T.C.A. Section 68-131-401, Part 4-Tennessee Lead-Based Paint Abatement Certification Act of 1997, Rule 1200-1-18-.01 Lead-Based Paint Abatement Requirements
- Guidance, methods or protocols issued by the State that have been authorized by EPA under 40 CFR 745.324 to administer and enforce lead-based paint programs

### **Asbestos:**

- 29 CFR 1910.1001, Occupational Safety and Health Standards, Asbestos
- 29 CFR 1926.1101, Safety and Health Regulations for Construction, Asbestos
- 40 CFR 61 Subpart M, National Emission Standards for Asbestos
- 40 CFR 763, Environmental Protection Agency, Asbestos

### **Lead-Based Paint & Asbestos:**

Toxic Substances Control Act (TSCA), 15 U.S.C. 2681-2692  
40 CFR 260, Hazardous Waste Management Systems  
40 CFR 261, Identification and Listing of Hazardous Waste  
40 CFR 262, Generators of Hazardous Waste  
40 CFR 263, Transporters of Hazardous Waste  
40 CFR 268, Land Disposal Restrictions  
49 CFR 171-172, Department of Transportation, Research and Special Programs Administration

### **Other Contaminants**

VOCS  
Metals  
UST  
AST  
CERCLA  
RCRA

### **Tennessee Department of Environment and Conservation [TDEC]**

Construction Site Storm Water Control Plan  
Construction Storm Water Inspection Report  
Notice of Intent [NOI]  
Notice of Termination [NOT]  
Tennessee General; Permit #TNR10-0000

City of Memphis Storm Water Bureau

- Letter of Intent [LOI] per the City of Memphis ordinance 4538.

\*\*Consultant will be responsible for complying with any and all applicable Federal, State and local regulations, including, but not limited, to those listed above.



**APPENDIX C: PRICE PROPOSAL FORM**  
**Former Baptist Rehabilitation Hospital**

<u>Phase</u>	<u>Description</u>	<u>Unit</u>	<u>Total Cost</u>
1	Schematic Design/Preliminary Study Phase		
	Subtotal Phase 1:		\$
2	Design Development Phase		
	Subtotal Phase 2:		\$
3A	Bidding, Construction and Contract Document Phase – Solicitation 1		
	Subtotal Phase 3A:		\$
4	Bidding and Award Phase		
	Subtotal Phase 4:		\$
5	Construction Phase		
	Subtotal Phase 5:		\$
	Total Project Cost:		\$

**APPENDIX C: PRICE PROPOSAL FORM**  
**Former Memphis Furniture Factory**

<u>Phase</u>	<u>Description</u>	<u>Unit</u>	<u>Total Cost</u>
1	Schematic Design/Preliminary Study Phase		
	Subtotal Phase 1:		\$
2	Design Development Phase		
	Subtotal Phase 2:		\$
3A	Bidding, Construction and Contract Document Phase – Solicitation 1		
	Subtotal Phase 3A:		\$
4	Bidding and Award Phase		
	Subtotal Phase 4:		\$
5	Construction Phase		
	Subtotal Phase 5:		\$
	Total Project Cost:		\$

## **APPENDIX D: CERTIFICATIONS, AFFIDAVITS AND OTHER FORMS**

- A. Debarment and Suspension Certification
- B. Equal Opportunity Certification
- C. Drug-Free Work Place Certification
- D. Non Collusion Affidavit
- E. List of Proposed MBE/WBE Contractors

# DEBARMENT AND SUSPENSION CERTIFICATION

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By signing and submitting a proposal in response to the solicitation of the City of Memphis, the Respondent certifies to the best of its knowledge and belief that:

- Neither the Respondent nor any of its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transaction by any Federal Department or agency;
- Neither the Respondent nor any of its principals have been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction; violation of Federal or State Antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- Neither the Respondent nor any of its principals are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in the foregoing paragraph of this certification;
- Neither the Respondent nor any of its principals have had one or more public transactions (Federal, State or local) terminated for cause or default; and
- Neither the Respondent nor any of its principals are currently engaged in litigation against the City of Memphis

*Subscribed and sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.*

\_\_\_\_\_  
Notary Signature  
*My commission expires*

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Company Name*

\_\_\_\_\_  
*Principal*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
Date

# EQUAL OPPORTUNITY CERTIFICATION

---

During the performance of this contract, the contractor agrees as follows:

- A. The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that such applicants are recruited or employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- B. The contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- C. The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the contractor's commitment under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- D. The contractor or subcontractor, where applicable, shall comply with Executive Order 11246, as amended, and the rules, regulations, and orders of the Secretary of Labor.

Subscribed and sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Signature

My commission expires

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**DRUG-FREE WORKPLACE CERTIFICATION**  
**DRUG FREE WORKPLACE ACT OF 1988**  
**41 U.S.C. 701 et seq.**  
**54 FED REG 4946, et seq.**

The undersign hereby certifies that he/she will provide a drug-free workplace by publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use will be taken against employees for violations of such prohibitions.

1. Establishing a drug-free awareness program to inform employees about:
  - a) The dangers of drug abuse in the workplace
  - b) The proposed policy of maintaining a drug-free workplace
  - c) Any available drug counseling, rehabilitation, and employee assistance program, and
  - d) The penalties that may be imposed upon employees for violations occurring in the workplace.
2. Making a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (1).
3. Notifying the employee required by paragraph (1) that, as a condition of employment under the contract, the employee will:
  - a) Abide by the terms of the statement; and
  - b) Notify the contractor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
4. Notify the City of Memphis within ten (10) days after receiving notice under Subparagraph 3(b) from an employee or otherwise receiving actual notice of such conviction.
5. Taking one of the following actions within thirty (30) days after receiving notice under Subparagraph 3(b) with respect to any employee who is convicted:
  - a) Taking appropriate personnel action against such employee, up to and including termination, or
  - b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or appropriate agency.
6. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), and (5).

*Subscribed and sworn to  
 before me this \_\_\_\_\_ day  
 of \_\_\_\_\_, 20\_\_\_\_.*

\_\_\_\_\_  
*Notary Signature  
 My commission expires*

\_\_\_\_\_  
 Date

\_\_\_\_\_  
*Company Name*

\_\_\_\_\_  
*Principal*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*

## NON COLLUSION AFFIDAVIT

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State of Tennessee  
County of \_\_\_\_\_

I, \_\_\_\_\_, being duly sworn, depose and say:

That I am the \_\_\_\_\_ (title) of the firm of  
\_\_\_\_\_, the party making the foregoing  
proposal; and

That such proposal is genuine and not collusive or a sham; and

That said Offeror has not colluded, conspired or agreed, directly or indirectly with any other offeror or person, to put in a sham offer or to refrain from offering, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person to fix the offer price or affiant or any other offeror, or to fix any overhead, profit or cost element of said offer price, or that of any other offeror, or to secure any advantage against the City of Memphis or any person interested in the proposed contracts; and

That all statements in said proposal are true.

*Subscribed and sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.*

\_\_\_\_\_  
Notary Signature

*My commission expires*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Company Name*

\_\_\_\_\_  
*Principal*

\_\_\_\_\_  
Title

\_\_\_\_\_  
*Date*

**LIST OF PROPOSED MBE/WBE  
SUBCONTRACTORS AND SUBCONSULTANTS**

The undersigned Offeror proposes to subcontract with the following Minority-Owned Business Enterprises (MBE) or Women-Owned Business Enterprises (WBE) for this project. The Offeror acknowledges that all MBEs and WBEs are to be listed on this form regardless of their subcontracting tier.

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Service(s): \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contract Amount: \_\_\_\_\_ Percent of Project: \_\_\_\_\_

\_\_\_\_\_ MBE \_\_\_\_\_ WBE \_\_\_\_\_ Subcontractor \_\_\_\_\_ Supplier

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Service(s): \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contract Amount: \_\_\_\_\_ Percent of Project: \_\_\_\_\_

\_\_\_\_\_ MBE \_\_\_\_\_ WBE \_\_\_\_\_ Subcontractor \_\_\_\_\_ Supplier

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Service(s): \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contract Amount: \_\_\_\_\_ Percent of Project: \_\_\_\_\_

\_\_\_\_\_ MBE \_\_\_\_\_ WBE \_\_\_\_\_ Subcontractor \_\_\_\_\_ Supplier

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Service(s): \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contract Amount: \_\_\_\_\_ Percent of Project: \_\_\_\_\_

\_\_\_\_\_ MBE \_\_\_\_\_ WBE \_\_\_\_\_ Subcontractor \_\_\_\_\_ Supplier



## **Appendix F. Summary of Environmental Assessments Completed**

*(copies of complete reports are available for review by appointment by calling 576-7365)*

### **Summary of environmental issues to be addressed for the former Baptist Rehabilitation and Memphis Furniture Factory properties (executive summaries of reports to follow):**

#### **Tank(s) under the loading dock on the Biggs property.**

A confined space investigation should be conducted under the west end of the loading dock to determine if there are underground storage tanks and determine their contents if they are present.

#### **Vault located immediately south of the silos on the Biggs property.**

The contents of the vault should be removed and disposed of properly. The vault should be removed from the ground and the surrounding soils analyzed to determine if over excavation and soil removal will be required.

#### **Asbestos Project Work Plan for abatement on the Baptist property (Former Rehabilitation Hospital).**

A site-specific Asbestos Project Work Plan should be developed on the Baptist property to perform the abatement of all asbestos containing materials except non-friable roofing and floor tiles within the buildings. Applicable materials include thermal insulated pipes and damaged ceiling and floor tile areas.

#### **Asbestos Project Work Plan for abatement on the Biggs property.**

A site-specific Asbestos Project Work Plan should be developed on the Baptist property to perform the abatement of all asbestos containing materials except non-friable roofing and floor tiles within the buildings. Applicable materials include thermal insulated pipes and damaged ceiling and floor tile areas.



**BAPTIST MEMORIAL HOSPITAL REHABILITATION CENTER**

**PHASE ONE ENVIRONMENTAL SITE ASSESSMENT  
ASTM PRACTICE E1527-93**

**PREPARED FOR:**

**PROF-CON, INC.  
1144 COL-ARL ROAD SOUTH  
COLLIERVILLE, TENNESSEE 38017**

**PREPARED BY:**

**SAFETY, TRAINING, ECOLOGY & DESIGN, INC.  
201 SOUTH MAIN STREET, SUITE #1  
COVINGTON, TENNESSEE 38019  
(901) 476-4973**

**JANUARY 13, 1996**

## **SECTION A. INTRODUCTION / OBJECTIVES**

Environmental Site Assessments are necessary as a component of the "innocent landowner defense" to CERCLA liability (i.e. the practices that constitute "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined in 42 USC 9601 (35) (B)).

STED Environmental Site Assessments are performed in accordance with American Society for Testing and Materials (ASTM) standard practice. This project was performed in compliance with ASTM 1527-93. The goal of the assessment process is to identify recognized environmental conditions. The term "recognized environmental conditions", as defined by ASTM, means the presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the Property or into the ground, groundwater, or surface water of the Property. The term includes hazardous substances or petroleum products even under conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

The STED approach is intended to reflect a commercially prudent and reasonable inquiry. No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of 1527-93 is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions with a property, and the practice recognizes reasonable limits of time and cost.

Profcon Inc. (the Client) retained Safety, Training, Ecology, Design Inc. (STED) to perform a Phase One Environmental Site Assessment of the Baptist Memorial Hospital Rehabilitation Center (the Property) located at 1025-1035 Crump Boulevard in Memphis, Tennessee. The Property was closed in 1990 and is currently not in use, but was previously used as a hospital rehabilitation center.

**PHASE I  
ENVIRONMENTAL SITE ASSESSMENT  
REPORT  
  
OF  
  
FORMER MEMPHIS FURNITURE MANUFACTURING  
PROPERTY  
  
AT  
  
715 SOUTH CAMILLA STREET  
  
IN  
  
MEMPHIS, SHELBY COUNTY, TN 38104**

**PREPARED FOR:**

**CITY OF MEMPHIS DIVISION OF HOUSING & COMMUNITY DEVELOPMENT  
701 NORTH MAIN STREET  
MEMPHIS, TENNESSEE 38107**

**PREPARED BY:**

**ENVIRONMENTAL TESTING & CONSULTING OF THE AMERICAS, INC.**

**ETCA PROJECT NUMBER 22340**

**JULY 2003**

## **PHASE I ENVIRONMENTAL SITE ASSESSMENT**

### **1.0 EXECUTIVE SUMMARY**

ETCA is pleased to present this Phase I ESA report prepared for the Former Memphis Furniture Manufacturing Property located at 715 S. Camilla Street in Memphis, Shelby County, Tennessee. A second street address exists for the property (658 S. Dudley Street) but the 715 S. Camilla Street address will be used to reference the site for this report. The focus of the investigation was to identify existing or potential environmental anomalies due to present or past land use.

This ESA was prepared at the request of Mr. Marcus Ward Esquire, Attorney for the City of Memphis Division of Housing & Community Development in Memphis, Tennessee.

ETCA conducted the Phase I ESA Site Assessment according to industry-accepted standards including the American Society for Testing and Materials Standard (ASTM) E1527-00. ETCA understands that the City of Memphis and other interested parties may rely upon the extent, character, and conclusions of the report.

Much of the information provided in this report is based upon a field inspection and historical research. In addition, we have utilized records and maps held by appropriate government and private agencies and reported by FirstSearch Technology Corp. This is subject to the limitations of historical documentation, availability and accuracy of pertinent records, and the personal recollection of those persons contacted. No subsurface investigation or qualitative/quantitative chemical testing was performed as part of this assessment.

Based on the site investigation, review of regulatory office records, review of historical aerial photographs, city directories, fire insurance maps and United States Geological Survey (USGS) topographic maps, this Phase I ESA has revealed some evidence of "recognized environmental conditions" according to ASTM Standard Practice E1527-00 in connection with the subject site property. ETCA recommends that a preliminary Phase II Environmental Site Assessment be performed on the property to determine if activities on the site and/or adjacent sites have had an environmental impact on the Former Memphis Furniture Manufacturing Property.

Recognized environmental conditions were noted on the subject property in the form of unmarked drums and buckets containing fluids, stained soil, sumps, pits and drains, transformers, a deep well previously located on the property, piles of debris, excavations, numerous above ground storage tanks and possible underground storage tanks. Previous use of adhesives, solvents and varnishes on the subject site are also a concern.

Adjacent properties on the north, south and west are of environmental concern to the subject site. The hospital grounds to the north are known to be the location of underground storage tanks currently containing fuel oil. Chemicals and petroleum products used in the boiler room and maintenance facilities at the hospital are a concern. Heavy metals generated during coal company and stove foundry operations may be a concern from the property to the west of the subject site. The property southeast of the former Memphis Furniture Manufacturing Company property is known to have been the location of underground storage tanks. This facility also used solvents and coating products that could be hazardous during the manufacturing of hardwood flooring.

**PHASE II  
ENVIRONMENTAL SITE ASSESSMENT  
REPORT  
  
OF  
  
FORMER BAPTIST REHABILITATION HOSPITAL  
PROPERTY AND THE BIGGS PROPERTY  
  
AT  
  
1025 E.H. CRUMP BLVD & 115 S. CAMILLA ST.  
  
IN  
  
MEMPHIS, SHELBY COUNTY, TN 38104**

**PREPARED FOR:**

**THE CITY OF MEMPHIS  
DIVISION OF HOUSING & COMMUNITY DEVELOPMENT  
701 NORTH MAIN STREET  
MEMPHIS, TENNESSEE 38107**

**PREPARED BY:**

**ENVIRONMENTAL TESTING & CONSULTING OF THE AMERICAS, INC.**

**ETCA PROJECT NUMBER 22516 & 22442**

**MARCH 2004**



## EXECUTIVE SUMMARY

The objective of the studies performed on the Former Baptist Rehabilitation Hospital and the Former Memphis Furniture Manufacturing Company (Biggs) Property was to determine if there were existing surface, subsurface, or groundwater environmental conditions that would prevent the City of Memphis from developing these properties, in conjunction with additional surrounding properties, into viable residential and recreational centers. Figure 1 shows a layout of the two properties.

Based upon all of the information obtained from this Phase II Environmental Site Assessment (ESA) and all of the available previous ESAs conducted on the properties, ETCA has determined that some environmental issues exist which will require remediation on the Baptist and Biggs sites before property development can proceed.

Chlorinated solvents (TCE and PCE) have impacted the groundwater of both the Baptist and Biggs properties. The source areas for the chlorinated solvents have not been found on either site. Based on current and limited information generated from both properties involved in this study, the source of the chlorinated solvents appears to be off-site. One potential source located close to and up gradient from the properties is the City of Memphis Asphalt Plant. It is recommended that monitoring wells be installed around the asphalt plant and on the DeSoto Hardwood Property just south of the subject sites and that the groundwater be sampled and tested to determine if the asphalt plant is the source of the solvents.

Petroleum hydrocarbon impacted groundwater in the form of extractable petroleum hydrocarbons (EPH) is present in the groundwater on both the Baptist and Biggs properties. Gasoline type solvents above "clean-up" levels have been detected in the groundwater under the Biggs Property. The source area for the EPH and solvents on the Biggs Property may be from suspected leaking underground storage tanks (LUSTs) located under the loading dock. The source for the EPH in the groundwater on the Baptist site may be from the LUSTs near the southwest corner of the Property. The possibility exists that the EPH in the groundwater beneath both of the sites is from an unknown off-site source affecting the entire area. The EPH and solvent source on the Biggs Property should be eliminated when the USTs are removed. However, both the Baptist and Biggs Properties will ultimately require that EPH concentrations be monitored to ensure that there is no other EPH source on either site.

EPH impacted soil was discovered in the northwest corner of the Biggs Property in the doorway of a wood frame building now used to store lumber. Ultimate usage of the property and a decision by the State will dictate cleanup levels for this location.

Semi-Volatile organic constituents in the form of poly-nuclear aromatic hydrocarbons (PAH's) have been detected in the groundwater at the Biggs Property above EPA Region 9 Preliminary Remediation Goals. The PAH's appear to have an off-site source. PAH's were also discovered in, and adjacent to an underground concrete vault located just south of the silos on the Property. These PAH's are believed to have accumulated in the vault from on-site manufacturing processes conducted during the years when the Memphis Furniture Manufacturing Company was functional. It is recommended that the



vault be drained, disposed of, and that the adjacent soils be removed. The bottom of the vault should be sampled and tested to determine if additional excavation will be required.

Semi-Volatile organic constituents in the form of phthalates were discovered in the groundwater beneath both properties, and it needs to be determined if the phthalates are a result of an environmental problem or if false positive results were detected from phthalate compounds found in the Semi-Volatile analysis.

Three USTs have been removed from the Baptist Property and soil contamination was discovered under two of the tanks. Authorization has been obtained from the Tennessee Department of Environment and Conservation (TDEC) to discontinue excavation and close the pit. The City of Memphis has authorized ETCA to close the pit.

Asbestos containing materials were identified in the boiler house on the Biggs Property. Recommendations concerning asbestos containing materials on the Baptist Property are included in ETCA Report # 22068.

A meeting with Mr. Andy Shivas, Director of TDEC Superfund Brownfield Program, has been scheduled to initiate the work plan for the properties. Mr. Shivas will be consulted to determine the appropriate clean-up levels to be used for the petroleum hydrocarbon impacted soil and groundwater on the properties.

ETCA has completed the Phase II study at the Baptist Property and determined that once the LUST impacted soils have been properly addressed, there is no indication of any surface or subsurface sources of contamination that would prevent the use of the property for residential or recreational development.

ETCA has located significant surficial and subsurface sources on the Biggs Property that have negatively impacted, the groundwater and need to be further delineated and remediated if the property is to be used for residential or recreational development.